

FORMAL MEETING AGENDA BOARD OF SUPERVISORS

(and the Boards of Directors of the Flood Control District, Library District,
Stadium District, Improvement Districts, and/or Board of Deposit)

**WEDNESDAY, MAY 16, 2007
9:00 AM**

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**GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED
GOLD – WITHDRAWN / BROWN – NO ACTION**

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

*One or more members may attend telephonically.
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

SUPPLEMENTAL AGENDA

BOARD OF SUPERVISORS

New Items

County Attorney

S-1. SETTLEMENT – PHILIP SHEA – (APPROVED)

Authorize settlement of Philip J. Shea v. Joe Arpaio, No. 1 CA-CV 06-0475, Maricopa County Superior Court No. LC2005-000928-001DT (CV 2005-019023), as discussed in Executive Session on May 14, 2007. (C1907040000) (ADM409)

S-2. SETTLEMENT – CAMELBACK ESPLANADE ASSOCIATION – (APPROVED)

Authorize settlement of Camelback Esplanade Association v. Maricopa County, TX2004-000290, TX2004-000708, TX2005-050251, and TX2006-000313 as discussed in Executive Session on May 14, 2007. (C1907043000) (ADM704)

Transportation

S-3. REORGANIZATION; TRANSFER OF POSITIONS – (APPROVED)

Approve transfer of positions from the Maricopa County Department of Transportation (MCDOT) to Maricopa County Public Works (MCPW) and the provision of work and services by MCPW to MCDOT and the Maricopa County Solid Waste Department (MCSW). Includes the transfer of 48 positions from MCDOT to MCPW; the transfer of three MCPW positions to MCDOT; and the assignment of MCPW to perform work and provide services for the MCDOT and MCSW. Specific functions affected include: Public Works Administration; Real Estate; Human Resources; Information Technology; Article 3 Procurement; Customer Service; Facilities Management; Records Retention; Geographic Information Services and Managing for Results. This item was discussed in Executive Session on May 14, 2007. (C6407237M00) (ADM2075-001) (ADM2000-001) (ADM1900-001)

Facilities Management

S-4. COURT TOWER PROJECT – (APPROVED)

Amend previous Board action approved on May 2, 2007, under agenda item C7007047800, by increasing the Court Tower (JUST) project by \$7,557,800 to \$341,557,800 to include the demolition of the 1st Avenue Jail and expansion of the Downtown Court Complex Plaza.

In addition, authorize:

- The addition of the Durango 911 and Crime Lab (DCRM) project to the FY 2006-07 Five-Year Capital Improvement Plan with a project expenditure budget of \$14,008,300.
- The addition of the Sheriff Court Remodel (SCRL) project to the FY 2006-07 Five-Year Major Maintenance Plan with a project expenditure budget of \$3,433,900. (C7007047801) (ADM800-003)

SETTING OF HEARINGS

~All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted~

Planning and Development

S-5. CASES – (APPROVED)

Schedule Planning and Development public hearings on zoning cases and other matters for the June 6, 2007 meeting. (List is on file in the Clerk of the Board's office) (F23237)

FLOOD CONTROL DISTRICT

SF-1. REORGANIZATION; TRANSFER OF POSITIONS – (APPROVED)

Approve transfer of positions from the Flood Control District of Maricopa County (FCD) to Maricopa County Public Works (MCPW) and the provision of work and services by MCPW to FCD, as discussed in Executive Session on May 14, 2007, approve restructuring and expanded Public Works reorganization that includes: the transfer of 34 positions from FCD to MCPW; and the assignment of Public Works to perform work and provide services for FCD, as provided in A.R.S. §48-3603. Specific functions affected include: Public Works Administration; Real Estate; Human Resources; Information Technology; Article 3 Procurement; Customer Service; Facilities Management; Records Retention; Geographic Information Services and Managing for Results. This item was discussed in Executive Session on May 14, 2007. (C6907062M00) (ADM2000-001) (ADM1900-001)

REGULAR AGENDA

STATUTORY HEARINGS

Clerk of the Board

1. LIQUOR LICENSE APPLICATIONS – (APPROVED)

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Dave Jerome Forman for a Special Event Liquor License: (SELL782) (F23221)

Business Name: Goodwill Industries
Location: 7611 S. 29th Avenue, Laveen 85339
Date/Time: June 12, 2007, 6 p.m. – 11 p.m.

- b. Application filed by Mary Crouchman Bunting for a Special Event Liquor License: (SELL784, 785, 786) (F23221)

Business Name: Theatre West
Location: 14401 W. R.H. Johnson Blvd, Sun City West 85375
Date/Time: November 2, 2007, January 25, & March 21, 2008

- c. Application filed by Robert L. Meeks for a Special Event Liquor License: (SELL783) (F23221)

Business Name: Surprise Elks Lodge #2833
Location: 20011 N. 128th Avenue, Sun City West 85375
Date/Time: October 6, 2007, 12 p.m. – 5 p.m.

- d. Application filed by Namrood M. Eysho for a New Series 10 Liquor License: (MCLL6225)

Business Name: Kings Beer-Wine
Location: 10262 E. Apache Trail #2, Apache Junction 85220

- e. Application filed by Richard Whun Koga for a New Series 12 Liquor License: (MCLL6224)

Business Name: Takamatsu Sushi Lounge
Location: 7019 N. Litchfield Road, Glendale 85307

- f. Application filed by Ina Chan Tsang for an Agent Change, Series 12 Liquor License (MCLL015AC):

Business Name: Asiana Kitchen
Location: 2668 W. Anthem Way A-128, Anthem 85086
Previous Agent: Jun Weng

Transportation

2. ROAD FILE DECLARATIONS – (APPROVED)

Approve petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, right-of-way or properties along the alignments into the Department of Transportation's highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

Road File No. (A381) – In the vicinity of MC 85 (Buckeye Road) from 79th Avenue to 75th Avenue, and the South 282.62 feet of 79th Avenue. (Supervisory District 4) (C6407190000)

3. ENVIRONMENTAL HEALTH CODE ORDINANCE P-14 – (CONTINUED TO 06/06/07)

This is the time scheduled for a public hearing to solicit comments and approve proposed revisions to Chapters I, II, V, VIII, XI and XII of the Maricopa County Environmental Health Code Ordinance P-14 (MCEHC). Proposed code amendments align code definitions with the MCEHC fee schedule, incorporate Arizona Administrative Code drinking water and wastewater standards by reference, expound on wastewater treatment plant operator certification, adjust sewage/waste treatment works construction time frames, add permit fee waiver expirations, modify chemical toilet permit fees and update permitted facility revocation/suspension postings. (C8807006700) (ADM2102)

AGENCY ITEMS AND STATUTORY MATTERS

COUNTY OFFICERS

Assessor

4. EXEMPTION TO THE MARICOPA COUNTY GENERAL TRAVEL POLICY – (APPROVED)

Approve a one time exemption to the Maricopa County Travel Policy (A2313), Section IX, Payment of Interview Expenses, to allow the Assessor's Office to reimburse two interview candidates for the Chief Appraiser position for allowed travel related expenses to Phoenix, Arizona. (C1207006000) (ADM658)

Clerk of the Board

5. BINGO PERMIT APPLICATION – (APPROVED)

Pursuant to A.R.S. §5-404.A, approve the application filed by Ralph Walters for a Bingo License Permit: (ADM657)

Organization:	Daisy Mountain Veterans
Location:	40404 N. Gavilan Peak Pkwy, Anthem 85086

Board of Supervisors – Internal Audit

6. COUNTY AUDITOR'S ANNUAL AUDIT PLAN – (APPROVED)

In accordance with the Board-approved Internal Audit Charter, the County Auditor hereby submits his recommendation for the FY 2007-08 Annual Audit Plan and requests approval from the Board of Supervisors. (C2307003M00) (ADM2600)

Sheriff

7. EXCEPTION TO THE TECHNOLOGY FINANCE PROGRAM – (APPROVED)

Approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to purchase two servers with additional storage, tape drives and peripherals costing \$22,010 and \$11,966 respectively for an estimated total cost \$33,976. These will be used for the Arizona Methamphetamine Program to monitor retail pseudoephedrine sales transaction records. These items were not specifically requested for expenditure in the original agenda item approving the acceptance of the grant from the U.S. Department of Justice approved by the Board of Supervisors on August 14, 2004 (C5005509300). This authorization is required to complete the one-time purchase of these items within the grant period, which expires on August 30, 2007. These servers and peripherals will be tracked separately from the Sheriff's Office TFP computers and there will be no automatic replacement from the general fund at the end of their useful lives. (C5005509301) (ADM1831)

8. AMENDMENT TO IGA FOR REIMBURSEMENT OF PAYROLL EXPENSES – (APPROVED)

Approve Amendment No. 1 to the intergovernmental agreement (IGA) between the Arizona Department of Public Safety (DPS) and the Maricopa County Sheriff's Office. This agreement designates one non P.O.S.T. certified officer to work under the direction of DPS and the Statewide Gang Task Force. This IGA will increase the reimbursement of the officer's payroll expenses, from 75% to 85%. This agreement will expire on April 18, 2008, unless renewed in writing by DPS. (C5006062201)

9. AGREEMENT FOR LAW ENFORCEMENT SERVICES – (APPROVED)

Approve the agreement for law enforcement services between the City of Goodyear and Maricopa County for the Sheriff's Office to provide law enforcement services at the level of one beat to Patrol out of the District II Office for the Sonoran Valley area, recently annexed by the City of Goodyear. This is a one-year agreement starting April 26, 2007, or upon approval by the City Council and the Board of Supervisors. Compensation for Law Enforcement Services shall begin July 1, 2007. This agreement will automatically renew for up to three successive fiscal year terms unless renegotiated or terminated. The City will be informed of subsequent fiscal year costs by February 15 of each term.

The cost reimbursement for service delivery during FY 2007-08 will be \$694,107, payable in monthly installments. An additional reimbursement amount of \$141,734 will be payable in lump sums as the following items are purchased: two Patrol SUVs; four tasers with accessories; four ruggedized laptop computers, and four radios.

Approve two additions to the Sheriff's fleet for the patrol SUVs being purchased to deliver this contract. (ADM3104)

Approval of this item will result in the establishment of four new deputy positions. The fifth position will be covered using a deputy assigned to patrol this area before it was annexed. Also approve an authorization to the Office of Management and Budget to work with the Sheriff's Office to ensure the FY 2007-08 appropriation recommendation includes this new revenue and these corresponding new expenditures for continuing and one-time costs. Revenue adjustment estimated not to exceed \$835,841 (\$694,107 annualized); expenditure adjustment estimated not-to-exceed \$724,341, (\$582,607 annualized). (C5007068200)

10. VEHICLE EXEMPTIONS – (APPROVED)

Approve the issuance of undercover non-governmental license plates including exemptions from markings, per A.R.S. §38-538.03 and A.R.S. §28-2511 for 37 new detective vehicles in the County fleet. Exemptions granted pursuant to A.R.S. § 38.538.03 are in effect for one year. All of these vehicles will be used to conduct undercover law enforcement investigations which are more easily accomplished without noticeable law enforcement insignia. A confidential list of these vehicles will be kept on file in the Clerk of the Board's Office. (C5007072M00) (ADM3101V)

Superintendent of Schools

11. APPORTIONMENT OF NATIONAL FOREST FEES – (APPROVED)

Pursuant to A.R.S. §11-497, approve the apportionment of \$148,284 of National Forest Fees for FY 2006-07. The Superintendent of Schools to receive 85% (69% to General Fund, 15% to small schools educational programs, and 1% to County Road Fund) of the National Forest Fees to be used for Title I programs and 15% to be used for Title III programs. (C3706002803) (ADM1809)

JUDICIAL BRANCH

Juvenile Probation

12. VEHICLE EXEMPTION – (APPROVED)

Pursuant to A.R.S. §38-538.03 and 28-2511(A), approve the exemption from markings and the use of non-governmental license plates for two Chevrolet Impala vehicles purchased under agenda C2707013M00, approved February 7, 2007. Exemptions granted pursuant to A.R.S. §38-538.03 are in effect for one year. The list of VIN numbers is on file in the Clerk of the Board's Office. (C2707019M00) (ADM3101V)

Vehicle ID: 52723

Vehicle ID: 52724

Trial Court

13. GRANT FOR EXPANSION OF THE JUVENILE COURT'S COMMUNITY SERVICES UNIT (APPROVED)

Accept a FY 2006-07 grant and associated revenue for the Trial Courts Department of the Judicial Branch in the amount of \$114,440 from the Governor's Office for Children, Youth and Families Juvenile Justice Programs, Title II Formula Grant for expansion of the Juvenile Court's Community Services Unit (CSU). The indirect costs (based upon a rate of 38.7% certified by the Dept of Finance) of \$44,288 are not fully recoverable from the funding, as the grant does not allow funding for indirect cost recovery. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limit, and therefore the budget law does not prohibit expenditure of these revenues. (C3807026300)

14. APPOINTMENT – (APPROVED)

Approve the appointment of Court Commissioner Veronica Watford Brame as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace in accordance with A.R.S. §12-141 for the period from May 16, 2007 through June 30, 2007, to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3807027700) (ADM1001)

DEPUTY COUNTY MANAGER

Management and Budget

15. ADDITION AND/OR REPLACEMENT OF THE MARKET RANGES – (APPROVED)

Approve the addition and/or replacement of the additional Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors on April 18, 2007. (C4907038601) (ADM3300-006)

16. TENTATIVE BUDGET – (APPROVED)

Approve the FY 2007-08 Tentative Budget pursuant to A.R.S. §42-17101 and 42-17102, by total appropriation for each department and fund in the amount of \$2,191,564,755 (Expenditures totaling \$1,776,806,445 and Appropriated Beginning Fund Balance of \$414,758,310) and approve the FY 2007-08 Tentative Budget Executive Summary (C4907042800) (ADM1802)

Public Health

17. NOTICE OF GRANT AWARD FOR HIV SERVICES – (APPROVED)

Approve the notice of grant award (2 H89HA00031-14-00 Emergency Relief Project Grants) from the Department of Health and Human Services' Health Resources and Services Administration (HRSA) for HIV services to the Department of Public Health and Maricopa County Healthcare Mandates. This grant award is in the amount of \$4,970,250 for the budget period of March 1, 2007 to February 28, 2008. Department of Public Health will administer the grant from March 1, 2007 to June 30, 2007. Maricopa County Healthcare Mandates will administer the grant from July 1, 2007 to February 28, 2008

The Department of Public Health's indirect rate is 18.1%. HRSA's indirect allowable rate is 10% of administrative, quality management, and planning council support expenses only. For FY 2006-07 \$1,408,238 is passed through to sub-recipients and is not subject to indirect. The estimated indirect costs are \$68,153, with \$37,653 allowable and \$30,500 unallowable. Healthcare Mandates' indirect Rate is 0%. For FY 2007-08, \$2,816,475 is passed through to sub-recipients and is not subject to indirect. The estimated indirect costs are \$45,184, all of which is recoverable. (Healthcare Mandates will not charge indirect cost in FY 2007-08.)

Approve revenue and expenditure appropriation adjustments to the Healthcare Mandates Grant Fund (Department 390, Fund 100) associated with the aforementioned grant in an amount of \$3,147,825. The appropriations adjustment is necessary because these funds were not included in the FY 2007-08 budget. Department of Public Health has \$1,656,750 budgeted for FY 2006-07 and \$165,675 for FY 2007-08. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8606042301)

18. CITY OF PHOENIX CHILDHOOD IMMUNIZATIONS – (APPROVED)

Approve the intergovernmental agreement (IGA) between The City of Phoenix and the Department of Public Health's Community Health Nursing Program (CHN). This IGA will provide the City of Phoenix with funds that will be used to administer mandatory immunization to school aged children. The amount of this agreement is not-to-exceed \$270,000 over the period of three

years. The term of this agreement is valid upon Board approval through May 31, 2010.
(C8607057200)

ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES

Human Services

19. OPERATION OF THE COMMUNITY ACTION PROGRAM – (APPROVED)

Approve the agreements with the following cities/towns for the operation of the Community Action Programs to provide community services and case management and emergency services for low-income residents in each town/city and surrounding identified geographic areas. The terms of these agreements are for the period of July 1, 2007 to June 30, 2008, and may be renewed for two additional one year terms based on successful financial and program performance. These agreements are contingent upon final approval of the County's FY 2007-08 budget, and the receipt of fully executed agreements between Maricopa County and the Arizona Department of Economic Security. There is no long-term commitment on the part of Maricopa County to continue this program beyond the terms of the agreements. These agreements require that the cities/towns develop and implement programs and services that address the following federal goals for Community Action Programs: securing and maintaining employment; securing adequate education; better Income management; securing adequate housing; providing emergency services; improving nutrition; creating linkages among anti-poverty programs; and, achieving self-sufficiency.

- a. **Town of Gila Bend** – Intergovernmental agreement will provide funding in a not-to-exceed amount of \$89,265. Funding for this IGA is being provided by the Arizona Department of Economic Security (\$64,239) and Maricopa County (\$25,026). (C2208069200)
- b. **City of Tolleson** – Intergovernmental agreement will provide funding in a not-to-exceed amount of \$86,971. Funding for this IGA is being provided by the Arizona Department of Economic Security (\$58,980) and Maricopa County (\$27,991). (C2208072200)
- c. **City of Chandler** – Contract with Community Services of Arizona, Inc., a not-for-profit organization contract will provide the Chandler Community Action Program funding in a not-to-exceed amount of \$175,139. Funding for this contract is being provided by the Arizona Department of Economic Security (\$128,034) and Maricopa County (\$47,105). (C2208073100)
- d. **Town of Gilbert** – Contract with Community Services of Arizona, Inc., a not-for-profit organization will provide the Gilbert Community Action Program funding in a not-to-exceed amount of \$100,681. Funding for this contract is being provided by the Arizona Department of Economic Security (\$74,436) and Maricopa County (\$26,245). (C2208074100)
- e. **City of Tempe** – Contract with the Tempe Community Action, Inc., a not-for-profit organization will provide the Tempe Community Action Agency funding in a not-to-exceed amount of \$287,930. Funding for this contract is being provided by the Arizona Department of Economic Security (\$227,325) and Maricopa County (\$60,605). (C2208076100)

Maricopa Events Center

20. DONATION AGREEMENT FOR IMPROVEMENTS AT THE EVENTS CENTER – (APPROVED)

Approve the Donation Agreement for the acceptance of \$1,100,000 donation for naming rights and to be used as matching capital funds for identified stage house improvements at the Maricopa County Events Center. Upon completion of the identified stage house improvements, the Maricopa County Events Center will be renamed in accordance with the Donation Agreement that is on file with the Clerk of the Board. Also, approve an increase in revenues in the amount of \$1,100,000 for FY 2006-07 in the Event Center (620), Fund (375). These funds will be budgeted in future fiscal years for expenditure at the Maricopa County Event Center. Donation revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. (C6207002100)

Parks and Recreation

21. CONSTRUCTION PHASE SERVICES FOR VISITOR CENTERS AND AMPHITHEATERS (APPROVED)

Approve and execute a Construction Manager at Risk construction phase services contract between Maricopa County through the Parks & Recreation Department (MCPRD) and DL Norton, Inc. for the MCPRD Visitor Centers and Amphitheaters (Function VAMP). The funds to pay for the contracted amount will be from the General Fund County Improvement Fund (445) as adopted in the FY 2006-07 County Budget on June 19, 2006. (C3007032100)

CHIEF FINANCIAL OFFICER

Animal Care & Control Services

22. AGREEMENT WITH ARIZONA HUMANE SOCIETY FOR DOG LICENSES – (APPROVED)

Approve an agreement between the Arizona Humane Society, a non-profit corporation organized under the laws of the State of Arizona, 1521 W. Dobbins Road, Phoenix, AZ 85041, and Maricopa County to allow the Arizona Humane Society to sell Maricopa County dog licenses to clients requesting to purchase dog licenses and to collect monies on behalf of Maricopa County for the dog licenses sold. Monies collected will be submitted on a monthly basis to Maricopa County Animal Care & Control (MCACC) minus \$2.00 per license sold retained as administrative fee by the Arizona Humane Society along with agreed upon records. MCACC anticipates 1,800 licenses to be sold during the term of this agreement. The term of this agreement shall commence upon execution and shall expire June 30, 2010. (C7907078100)

23. NEW HOPE ANIMAL RESCUE PROGRAM – (APPROVED)

Approve the following agreements with Maricopa County under the New Hope Program to rescue animals that have been deemed eligible for the New program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the contractor. The cost for these services is \$39 for each animal rescued:

- a. John Braden, d.b.a. Tundra Shepherd Rescue/Arizona, 2923 E. Cannon Drive, Phoenix, AZ 85028. Animal Care & Control estimates 10 new hope rescues over the term of the agreement, for a total of \$390. The term of this agreement is from May 16, 2007 through April 17, 2008. (C7907084100)
- b. Pamela Heine, d.b.a. Finding Fido, P. O. Box 38233, Phoenix, AZ 85069. Animal Care & Control estimates 300 new hope rescues over the term of the agreement, for a total of \$11,700.00. The term of this Agreement is from May 16, 2007 through April 3, 2010. (C7907091100)
- c. Robin Jensen, d.b.a. Coppercloud Pet Rescue, 10512 E. Cholla Street, Scottsdale, AZ 85259. Animal Care & Control estimates 100 new hope rescues over the term of the agreement, for a total of \$3,900. The term of this agreement is from May 16, 2007 through April 3, 2010. (C7907092100)
- d. Valley Cat & Dog Rescue, a 501 (c) 3 non-profit corporation, P. O. Box 11048, Tempe, AZ 85284. Animal Care & Control estimates 375 new hope rescues over the term of the agreement, for a total of \$14,625. The term of this agreement is from May 16, 2007 through April 3, 2010. (C7907093100)
- e. Arizona Animal Rescue and Sanctuary, a 501 (c) 3 non-profit, 8324 N. 8th Avenue, Phoenix, AZ 85021. Animal Care & Control estimates 375 new hope rescues over the term of the agreement, for a total of \$14,625. The term of this agreement is from May 16, 2007 through April 3, 2010. (C7907094100)
- f. Boxer Luv Rescue, a 501 (c) 3 non-profit, 8324 N. 8th Avenue, Phoenix, AZ 85021. Animal Care & Control estimates 120 new hope rescues over the term of the agreement, for a total of \$4,680. The term of this agreement is from May 16, 2007 through April 3, 2010. (C7907095100)
- g. Debora Harlow, d.b.a. Akita Advocates Relocation Team Arizona (AARTA), 5808 S. 44th Street, Phoenix, AZ 85040. Animal Care & Control estimates 50 new hope rescues over the term of the agreement, for a total of \$1,950. The term of this agreement is from May 16, 2007 through April 3, 2010. (C7907097100)
- h. Animal Welfare League A.A.W.L., a 501 (c) 3 non-profit corporation, 30 N. 40th Place, Phoenix, AZ 85034. Animal Care & Control estimates 2,100 new hope rescues over the term of the agreement, for a total of \$81,900. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907102100)
- i. Jennifer Gilson, d.b.a. Animal Rescue Center, 4015 E. Cactus Road, Phoenix, AZ 85032. Animal Care & Control estimates 1,050 new hope rescues over the term of the agreement, for a total of \$40,950. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907103100)
- j. Internet Miniature Pinscher Services, Inc., a 501 (c) 3, P. O. Box 111863, Naples, FL 34018. Animal Care & Control estimates 30 new hope rescues over the term of the agreement, for a total of \$1,170. The term of this agreement is from May 16, 2007 through April 17, 2010. (C7907104100)
- k. Susan Hagen-Smith, d.b.a. Arizona Keeshond Rescue, 7268 E. Softwind Drive, Scottsdale, AZ 85255. Animal Care & Control estimates 6 new hope rescues over the term of the agreement, for a total of \$234. The term of this agreement is from May 16, 2007 through April 17, 2008. (C7907105100)

- l. Arizona Humane Society (AHS), an Arizona non-profit corporation, 1521 W. Dobbins Road, Phoenix, AZ 85041. Animal Care & Control estimates 600 new hope rescues over the term of the agreement, for a total of \$23,400. The term of this agreement is from May 16, 2007 through May 1, 2010. (C7907107100)
- m. Sun Valley Animal Shelter, a 501 (c) 3 non-profit corporation, 7150 N. 110th Avenue, Glendale, AZ 85307. Animal Care & Control estimates 400 new hope rescues over the term of the agreement, for a total of \$15,600. The term of this agreement is from May 16, 2007 through May 1, 2010. (C7907116100)

24. KENNEL PERMITS RENEWALS – (APPROVED)

Approve the following kennel permit renewals for the term of May 2, 2007 through May 1, 2008:

- a. Nancy Chapman, d.b.a. Chapman Kennels, 4201 W. Tierra Buena Lane, Phoenix, AZ 85053, Permit #410. The cost of a kennel permit is \$328. (Supervisory District 4) (C7907112C00) (ADM2304)
- b. Paula Lawrence-Brown, d.b.a. Eye Dog Foundation, 8252 S. 15th Avenue, Phoenix, AZ 85041, Permit #335. The cost of a kennel permit is \$328. (Supervisory District 5) (C7907113C00) (ADM2304)
- c. Ann Tipton, d.b.a. Tipton's Kennels, P. O. Box 882, Peoria, AZ 85345 (8442 N 99th Avenue, Peoria, AZ 85345), Permit #052. The cost of a kennel permit is \$328. (Supervisory District 4) (C7907114C00) (ADM2304)
- d. Sue Nix, d.b.a. Nix Kennels, 2505 E. Louise Drive, Phoenix, AZ 85032, Permit #389. The cost of a kennel permit is \$328, plus a late renewal fee of \$25, totaling \$353. (Supervisory District 3) (C7907115C00) (ADM2304)

25. DONATIONS – (APPROVED)

- a. Approve the acceptance of a restricted donation from the PETCO Foundation to Maricopa County Animal Care & Control (MCACC) in the amount of \$250 to be used for the Moonlight Muttness & Meow event, April 21, 2007. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7907108700) (ADM2300-006)
- b. Approve the acceptance of a donation from Vernice Windus of Chandler, AZ to Maricopa County Animal Care & Control in the amount of \$500 for rescuing her daughter's dog from the streets. Donation revenue funds are deposited into Fund (573) as they are received. (C7907117700) (ADM2300-006)

Finance

26. FUND TRANSFERS; WARRANTS – (APPROVED)

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in

the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

27. CAPITAL LEASES FOR NETWORK INFRASTRUCTURE EQUIPMENT – (APPROVED)

Authorize the Chairman to execute all capital lease documents required for the financing of the Office of Enterprise Technology's new network infrastructure technology equipment in an amount not-to-exceed \$7,000,000. All capital lease documents are subject to County Counsel approval. The Department of Finance will facilitate the three-year reimbursement capital lease. The Office of Enterprise Technology will be expending funds for the capital equipment and is requesting reimbursement of their expenditures from the proceeds of the capital lease. Estimated total capital lease payments, with an approximate 4.25% interest rate for the maximum amount financed, will not exceed \$2,520,000 yearly. The monthly capital lease payments will be approximately \$210,000. The funds are budgeted. (C1807037800) (ADM1831-003)

28. LICENSE AGREEMENT WITH THE SILVER SPOON CAFÉ, LLC – (APPROVED)

Approve a License Agreement with The Silver Spoon Café, LLC allowing the placement of a food and beverage station in the Security Buildings at 222 and 234 N. Central Avenue in Phoenix. The license area is approximately 20'X 20' and is located on the first floor of the Security Building. The license term is month-to-month commencing on the date of execution of the license by both parties and the license agreement may be terminated by the county by providing 30-day written notice. The licensee will pay a nominal license fee and will be responsible for the cost of establishing any required services to the license area. (C1807038100) (ADM645)

Materials Management

29. SOLICITATION SERIALS – (APPROVED)

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award

- | | |
|------------------|--|
| 06153-RFP | Street Centerline Attribute Enhancement (\$399,500 estimate/one year)
Contract to provide services to populate null or missing attributes in Maricopa County Department of Transportation's street centerline file. <ul style="list-style-type: none">• RBF Consulting |
| 06158-S | Insurance Broker Contract Services – RM (\$35,000,000 estimate/three years with three one-year renewal options) Contract to provide insurance broker services for Maricopa County as recommended by Risk Management. Stated value includes the broker's fees of \$171,000 and estimated insurance premiums for the same period. <ul style="list-style-type: none">• Arthur J. Gallagher & Co. |
| 07014-S | Building Mounted Fire Extinguisher Services (\$300,000 estimate/three years with three one-year renewal options) Price agreement to provide maintenance, repair, testing and inspection of building mounted fire extinguishers as requested by the Facilities Management Department. <ul style="list-style-type: none">• Sun Devil Fire Equipment, Inc. |

- 07043-S Highway Litter Removal and Disposal (\$2,000,000 estimate/three years with three one-year renewal options)** Price agreement for litter pick-up and removal along various County highways.
- LandCorp Property Maintenance

Approve an increase in the price agreement amount for the following contracts. This request is due to an increased usage by County departments.

- 02137-C Equipment Maintenance, Reconditioning & Repair Services (\$55,000 increase)** Increase price agreement value from \$780,000 to \$835,000. This \$55,000 increase is requested to pay for anticipated purchases prior to agreement expiration by both FMD and MCDOT. This agreement was renewed by the Board on May 18, 2005 in the amount of \$730,000 and was subsequently increased by the Materials Management Director to \$780,000. Price agreement expiration is May 31, 2007.
- Americam
 - ASSI Security of Arizona
 - Benson Systems
 - Norment Security Group, Inc.

Vendor Addition to Contract

- 06031-RFP Outside Audit, Accounting And Consulting Services (Vendor Addition)** In accordance with the terms and conditions of this contract, approval is requested for the addition of Weidner Consulting. This firm will be limited to consulting engagements pertaining to the County's MFR initiative.
- Weidner, Inc.

ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES

Air Quality Department

30. TRIPLE NET LEASE WITH LINCOLN COMMERCE PARK II, LLC – (APPROVED)

Approve and execute triple net lease No.L7396 with Lincoln Commerce Park II, LLC, as lessor, for approximately 13,524 square feet of flex space located at 2145 S. 11th Avenue, #170, Phoenix, AZ. The eighty six month lease shall commence on or about August 1, 2007, and terminate on or about September 30, 2014. Lessor shall provide the County a minimum of two parking spaces per 1,000 square feet of leased space.

Direct the Office of Management and Budget to include one time tenant improvement expenses (Fund Balance) in the FY 2007-08 budget. Lessor shall provide a tenant improvement allowance equal to \$10 per square foot. The county will be responsible for the balance of the tenant improvement cost. With proper notice, the County may terminate the lease at the end of the fifth lease-year provided the County pays a termination penalty including repayment of the lessor's unamortized tenant improvement allowance and marketing costs at a 9% interest rate.

The NNN base rental rate is:

Months	Base Rent	Annual plus CAM and O&M expenses and rental tax
1-12	\$7.20/sf	\$97,372.80
13-24	\$7.42/sf	\$100,293.98
25-36	\$7.64/sf	\$103,377.46
37-48	\$7.87/sf	\$106,460.93
49-60	\$8.11/sf	\$109,706.69
61-72	\$8.35/sf	\$112,952.45
73-84	\$8.60/sf	\$116,360.50
85-86	\$0.00/sf	only CAM and O&M expenses and rental tax

Also, approve an amount not-to-exceed \$100,000 for furniture, computers, office supplies and equipment and other miscellaneous expenses required to prepare the new space for the Air Monitoring Program. (C8507021400)

31. IMPLEMENTATION AND ENHANCEMENT OF THE PM 2.5 MONITORING NETWORK OPERATION – (APPROVED)

Approve the grant agreement and acceptance of grant funds from the Environmental Protection Agency (EPA), Grant No.07-030, in the amount of \$51,580.00. These grant funds are for continued implementation and enhancement of the PM 2.5 monitoring network operation designed to attain the PM 2.5 standard. The grant period is from December 1, 2006 through April 30, 2008.

Authorize the Chairman to sign all documents related to these grant funds. The grant funds may be expended for indirect costs which may be incurred by the Air Quality Department or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the Air Quality Department's composite indirect cost rate at 14.70%. Indirect cost recovery is allowed and fully recoverable at 14.70%, which equals \$6,610.51. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8507026300)

Emergency Management

32. HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT – (APPROVED)

Approve and accept a competitive award in the amount of \$1,500 from the Arizona Emergency Response Commission/Local Emergency Planning Committee for the Hazardous Materials Emergency Preparedness (HMEP) Grant.

Approve an appropriation adjustment in the amount of \$300.00 for both revenues and expenditures to the Emergency Management Department (150) Emergency Management Fund (215) budget.

Direct the Office of Management and Budget to budget continued expenses for FY 2007-08 in the amount of \$1,200.00. This award supports the Local Emergency Planning Committee (LEPC). The Grant Period is October 1, 2006 through September 30, 2007. The Maricopa County Department of Emergency Management's (MCDEM) current indirect cost rate is 17.01% for FY 2006-07. Indirect costs of \$255.15 for this grant are unallowable and unrecoverable. This cost will be fully absorbed in the MCDEM budget. The funds will be used for program costs. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget

adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. § 42-17105. (C1507010300)

Environmental Services

33. AMENDED DELEGATION OF AUTHORITY – (APPROVED)

Approve amendment # 1 to the Delegation Agreement between the Arizona Department of Health Services (ADHS) and Maricopa County Environmental Services Department (MCESD). The amended delegation of authority to the local health department (LHD) personnel performing delegated duties shall be qualified in accordance with A.R.S. §36-136.01 and Department rules A.A.C. Title 9, Chapter 16, Article 4 which regulate sanitarians. Also, the agreement is amended to reflect a termination date of the agreement of June 30, 2017. This new agreement shall be effective 30 days after written notice of ADHS's final decision or the date the agreement has been signed by both parties, whichever comes later and will run through June 30, 2017. Historically ADHS has delegated to MCESD those responsibilities defined in APPENDIX A "FOOD AND GENERAL SANITATION" in the delegation agreement.

The Arizona Department of Health Services has been assigned the duties of implementation, education, compliance and enforcement of Proposition 201 Smoke-Free Arizona Act. As a part of this initiative, ADHS has determined the most effective and expeditious methodology is to implement the program in partnership with Maricopa County Environmental Services Department. MCESD shall provide an education component, and respond to written, on-line and telephone complaints or other means of communications directly received from the public as provided in this amended County Delegation agreement. (C8804006201)

34. IGA WITH ADHS AND RELATED EXPENDITURE ADJUSTMENT – (APPROVED)

Approve an Intergovernmental Agreement (IGA) between Maricopa County and the Arizona Department of Health Services (ADHS) in the amount of \$1,408,750 for delegated duties from ADHS to implement education and report compliance of Proposition 201 Smoke-Free-Arizona Act. The initial period for this IGA is 14 months commencing retro active to May 1, 2007 through June 30, 2008. This agreement remains in effect for the period necessary to complete activities specified in the IGA, such period not to exceed June 30, 2008.

Also, pursuant to A.R.S.42-17106(B), approve an increase to revenue and expenditure authority in the Environmental Services Grants Fund (Department 880, Fund 505). This action will require a revenue and expenditure appropriation adjustment increasing the FY 2006-07 Environmental Services (880) Equipment Services Grant Fund (505) \$201,250 and \$75,000 respectively. Direct the Office of Management and Budget to include the annualized costs in the FY 2007-08 budget. Intergovernmental Agreement revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment of \$201,250.00 does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A. R. S. 42-17105. (C8807009200)

Facilities Management

35. CONSTRUCTION SERVICES FOR THE SOUTHEAST JUSTICE CENTER – (APPROVED)

Approve and authorize the execution of Construction Manager at Risk (CMR) GMP #1, Contract No. FMD-07-035, with Holder Construction Company of Phoenix, Arizona, in the amount of ~~\$6,986,000~~ **6,896,566** to provide general construction services for the Southeast Justice Center located in Mesa, Arizona. (C7006047502)

Transportation

**36. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS
(APPROVED)**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

37. REIMBURSEMENT (FINAL PAYMENT) TO SALT RIVER PROJECT – (APPROVED)

Approve reimbursement (final payment) to Salt River Project (SRP) in the amount of \$65,682 for relocation of their facilities in conflict with Maricopa County Department of Transportation (MCDOT) project T076, McQueen Road: Queen Creek Road to Pecos Road. (ADM2000-006)

Also, per A.R.S. 42-17106 (B), approve an amendment to the current FY 2007-2011 five-year TIP for Fund (234) - Transportation Capital Projects Fund adopted by the Board on June 21, 2006, by **decreasing** the FY 2006-07 (Year 1), capital budget for Project T002, Project Reserve Account with a capital budget of \$65,682.

And, adjusting Project T076, McQueen Road: Queen Creek Road to Pecos Road by **increasing** the FY 2006-07 (Year 1) capital budget by \$65,682. (ADM2000-003)

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero. (Supervisory District 1) (C6404188502) (ADM2000-006) (ADM2000-003)

**38. CANDIDATE ASSESSMENT REPORT FOR USERY PASS ROAD EXTENSION
(APPROVED)**

Approve the intergovernmental agreement between Maricopa County Department of Transportation and the Fort McDowell Yavapai Nation for the development of a Candidate Assessment Report (CAR) for Usery Pass Road Extension. The total project cost is anticipated to be \$150,000 for the development of the CAR in County FY 2006-07. The County is expected to share 50% of the cost estimated at \$75,000. (Supervisory District 2) (C6407209200)

39. ANNEXATION BY THE TOWN OF GILBERT – (APPROVED)

Approve the annexation by the Town of Gilbert of County right-of-way of a portion of Lindsay Road, Between Ray Road and Williams Field Road, in accordance with Ordinance No. 1719. This annexation action will remove 0.1219 square miles from County ownership and enable the Town of Gilbert to assume responsibility for road maintenance. (Supervisory District 1) (C6407212000) (ADM4206-002)

40. ANNEXATION BY THE CITY OF PEORIA – (APPROVED)

Approve the annexation by the City of Peoria of County right-of-way within Happy Valley Parkway from 20' East of 103rd Avenue Alignment, east 686.06' to the existing City limits, in accordance with Ordinance No. 07-08. (Supervisory District 4) (C6407213000) (ADM4212-002)

**41. CONSULTANT SERVICES CONTRACT WITH AMEC INFRASTRUCTURE, INC.
(APPROVED)**

Approve the Consultant Services Contract No. 2006-078 with AMEC Infrastructure, Inc. in the amount not-to-exceed \$1,509,999.44 for construction administration services for the Power Road, Guadalupe Road to Baseline Road Project, T090. Approval of this agenda is contingent upon the Board adopting the recommended FY 2007-08 budget. (Supervisory District 2) (C6407214500)

**42. UTILITY ENHANCEMENT AGREEMENT FOR IMPROVEMENTS TO COTTON LANE
(APPROVED)**

Approve the execution of a Utility Enhancement Agreement between Maricopa County and Duke Realty Limited Partnership for improvements to Cotton Lane from MC85 to Elwood, Project T180. The agreement identifies and defines the responsibilities of the County and Duke for the cost sharing, design, construction, construction administration, rights of way acquisition, utility relocation, and ownership of the Project. Duke will pay Maricopa County the construction cost difference of \$142,262.00 to pipe vs. replacing in-kind (open ditch) Roosevelt irrigation District's (RID) irrigation facilities across Duke's property upon execution of this agreement. This work is in support of MCDOT Project T180, Cotton Lane Bridge at the Gila River. (C6407215M00)

43. BIDS AND AWARDS FOR IMPROVEMENT PROJECTS – (APPROVED)

Approve the following solicitation of bids and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%:

- a. Construction for Williams Field and Higley Intersection Improvement Project, Maricopa County Department of Transportation Project No. T102. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2007-08 budget. (Supervisory District 1) (C6407217500)
- b. Intersection improvements at Northern Avenue and El Mirage Road, MCDOT Project No. T256. FY 2007-08 expenditures are contingent upon the Board approving the recommended FY 2007-08 budget. (Supervisory District 4) (C6407224500)
- c. Union Hills Drive Golf Cart Path and Intersection Improvements, MCDOT Project No. T235. FY 2007-08 expenditures are contingent upon the Board approving the recommended FY 2007-08 budget. (Supervisory District 4) (C6407225500)
- d. MC 85 Extension: SR 85 to Turner Road, MCDOT Project No. T171. FY 2007-08 expenditures are contingent upon the Board approving the recommended FY 2007-08 budget. (Supervisory District 4) (C6407226500)

44. ROAD FILE VACATE AND ABANDON – (APPROVED)

- a. Adopt Resolution AB-186 to abandon a portion of Bruner Road in the vicinity of Bruner Road and Narramore Road, per A.R.S. §28-7214, by extinguishing the easement which was established by action of the Maricopa County Board of Supervisors on October 8, 1912. (Supervisory District 5) (C6407221000)
- b. Adopt Resolution AB-195 to abandon a portion of 144th Street in the vicinity of 144th Street and Willis Road, per A.R.S. §28-7214, by extinguishing the easement which was conveyed to Maricopa County by means of an Easement and Agreement for Roadway Purposes on August 24, 1987 and recorded by the Maricopa County Recorder as record number 87-532388. (Supervisory District 1) (C6407222000)

BOARD OF SUPERVISORS

Clerk of the Board

45. APPOINTMENTS – (APPROVED)

- a. **Citizen's Audit Advisory Committee** – ~~Appoint~~ Reappoint Ryan Brownsberger, nominated by Supervisorial District 4, whose term is effective from June 1, 2007 through May 31, 2009. (C0607082900) (ADM2602-001)
- b. **Citizen's Audit Advisory Committee** – ~~Appoint~~ Reappoint Ralph Lamoreaux, nominated by Supervisorial District 1, whose term is effective from May 28, 2007 through May 27, 2009. (C0607082900) (ADM2602-001)
- c. **Ryan White Planning Council** – Appoint R. Eric Ciolina, representing General Public, and Jay Moman, representing Institutional Members, whose term is effective from June 1, 2007 through May 31, 2010. (C2007051900) (ADM2153-001)
- d. **Ryan White Planning Council** - Reappoint Kimberley Bickes as Alternate to Deborah Frusciano, representing Service Providers, with Bickes' reappointment to run through February 28, 2010, the final date of Frusciano's term. Correct the record to reflect that Council members Miguel Garruna and Kelli Houston represent the General Public. (C2007051900) (ADM2153-001)

46. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS – (APPROVED)

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

SETTING OF HEARINGS

~All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted~

Transportation

47. ROAD FILE DECLARATION – (APPROVED)

Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, June 20, 2007.

- a. **Road File No. 5359.** In the vicinity of Camelback Road and Dysart Road. (Supervisory District 4) (C6407218000)
- b. **Road File No. 5360.** In the vicinity of Camelback Road and Dysart Road. (Supervisory District 4) (C6407219000)
- c. **Road File No. 5361.** In the vicinity of Indian School Road and Jackrabbit Trail. (Supervisory District 4) (C6407220000)

Air Quality

48. PROPOSED NEW RULE 242 – (APPROVED)

Set a public hearing, as required by A.R.S. §49-479(b) for Wednesday, June 20, 2007, at 9:00 a.m. to solicit comments on proposed new Rule 242, Emission Offsets Generated by the Voluntary Paving of Unpaved Roads for inclusion in the Maricopa County Air Pollution Control Rules & Regulations as well as inclusion of the proposed rule into the (Arizona) State Implementation Plan (SIP). also set a public hearing on the proposed Resolution which establishes a system for evaluating this type of Economic Incentive Program (EIP). (C8507027700) (ADM2354) (ADM2350)

Management and Budget

49. MARICOPA COUNTY FY 2007-08 BUDGET – (APPROVED)

Set a public hearing pursuant to A.R.S. §42-17104, for 10:00 a.m. on June 18, 2007, at 301 W. Jefferson Street, 10th Floor, Phoenix, to solicit public comment on the FY 2007-08 Budget. (C4907042800) (ADM1801)

Parks and Recreation

50. REVISED FEE SCHEDULE FOR PARKS & RECREATION – (APPROVED)

Set a public hearing for 9:00 a.m. on Wednesday, June 20, 2007, to consider the adoption of the revised fee schedule for Parks & Recreation Department as on file with the Clerk of the Board to be effective August 13, 2007. On May 8, 2007, the Parks & Recreation Commission voted to approve the recommendation of the new fee schedule to the Board. Maricopa County Parks and Recreation Department has not implemented a significant fee adjustment since April 1, 2002. The rising operational costs of park staffing and maintenance have made it evident that a fee adjustment is appropriate. (C3007033M00) (ADM3210)

CONSENT AGENDA

Clerk of the Board

51. **Industrial Development Authority** – These items are being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued: (ADM4792) – **(APPROVED)**

Request for Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa for the restructuring and re-issuance of its \$27,000,000 maximum aggregate principal of Multifamily Housing Revenue Bonds (AHF Affordable Housing Portfolio Project), Series 2003.

52. **ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001) **(APPROVED)**
53. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. – **(APPROVED)**
54. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723) – **(APPROVED)**
55. **Donations** – Accept the donation reports received from county departments for April 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810) – **(APPROVED)**
56. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809) – **(APPROVED)**
57. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701) – **(APPROVED)**
58. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705) – **(APPROVED)**
59. **Settlement of Tax Cases** – Approve the settlement of tax cases dated May 16, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704) – **(APPROVED)**

60. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816) – **(APPROVED)**
61. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §41-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708) – **(APPROVED)**

IMPROVEMENT DISTRICT AGENDA

ID-1. TENTATIVE BUDGET – **(APPROVED)**

Approve the FY 2007-08 Tentative Budget pursuant to A.R.S. §48-954, for the County Improvement Districts per the FY 2007-08 Recommended Tentative Budget Schedules entitled "Direct Assessment of Special Districts" and "Street Lighting Improvement District Levies Secondary Roll", and set a public hearing to solicit public comment on the FY 2007-08 Budget for June 18, 2007, at 10:00 a.m. at 301 W. Jefferson Street, 10th Floor, Phoenix. (C4907046800) (ADM4300-003)

FLOOD CONTROL DISTRICT AGENDA

- FCD-1.** Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910) **(APPROVED)**

FCD-2. TENTATIVE BUDGET – **(APPROVED)**

Approve the FY 2007-08 Tentative Budget by total appropriation for each fund for the Flood Control District in the amount of \$97,250,609; and set a public hearing to solicit public comment on the FY 2007-08 Budget for June 18, 2007, at 10:00 a.m. at 301 W. Jefferson Street, 10th Floor, Phoenix. (C4907043800) (ADM1900-003)

FCD-3. WHITE TANKS FLOOD RETARDING STRUCTURE NORTH INLET CHANNEL PROJECT **(APPROVED)**

Approve Amendment #1 to the Intergovernmental Agreement (IGA) FCD 2005A003A, White Tanks Flood Retarding Structure #3 North Inlet Channel Project #470, between the Flood Control District of Maricopa County and the Maricopa County Water Conservation District #1 (MWD). This IGA amendment revises ownership and maintenance responsibilities for the Olive Avenue crossing. (C6906057201)

FCD-4. MAPPING SERVICES OF THE PALO VERDE AREA DRAINAGE MASTER PLAN **(APPROVED)**

Award Contract FCD 2006C028, Mapping Services of the Palo Verde Area Drainage Master Plan (ADMP) to Wilson & Company to provide professional mapping and survey services. This contract is in the lump sum of \$1,344,777.33 plus a not-to-exceed amount of \$20,118.49 for optional items. The total contract amount will not exceed \$1,364,895.82. The contract performance is 360 calendar days effective the date of the Notice to Proceed. (C6907055500)

FCD-5. ADJUSTMENTS TO THE CIP EXPENDITURE BUDGET – (APPROVED)

Approve adjustments to the current FY 2006-07 Capital Improvements Program (CIP) expenditure budget of the Flood Control District of Maricopa County (District), Department (690), Fund (990). The requested adjustments are the result of changes in the Land Acquisition and Construction schedules of several of the District's major capital projects. The adjustments have been planned to achieve maximum utilization of the District's resources in furtherance of the Capital Program. The requested adjustments are as follows: (C6907058800) (ADM1900-003)

Project Number	Name	Amount
117	South Phoenix Drainage Improvement	\$169,000
120	PVSP (Paradise Valley, Scottsdale, Phoenix)	\$(4,000)
121	EMF (East Maricopa Floodway)	\$304,000
126	Salt/Gila	\$7,000
201	White Tanks Dam #4	\$5,000
202	McMicken Dam	\$7,000
211	Downtown Buckeye	\$2,000
300	Spook Hill	\$15,000
343	Wickenburg	\$(152,000)
345	Aguila	\$(7,000)
346	Hassayampa River	\$(125,000)
350	Cave Buttes Dam	\$235,000
362	Skunk Creek Channelization	\$101,000
371	Upper New River	\$(72,000)
400	Skunk Creek & New River	\$(31,000)
401	Agua Fria River Flow	\$9,000
420	Spook Hill Watershed	\$24,000
442	East Mesa	\$10,000
450	Glendale – Peoria	\$(608,000)
470	White Tanks	\$(5,373,000)
480	Queen Creek	\$374,000
490	Gilbert/Chandler	\$(7,000)
491	Higley	\$6,000
520	Adobe Dam	\$(5,000)
565	Durango	\$1,582,000
580	ACDC	\$40,000
620	Maryvale	\$161,000
625	Metro	\$78,000
Non Project		\$(160,000)
FCPR Project Reserve		\$3,415,000

FCD-6. ENFORCEMENT ACTION AGAINST VULCAN MATERIALS – (APPROVED)

Approve filing by the Flood Control District of a new floodplain enforcement action or actions against Vulcan Materials for operations in the Agua Fria River as discussed in Executive Session on February 20, 2007. (C6907059M00) (ADM1900-004)

FCD-7. DREISESZUN ET AL V. VULCAN MATERIALS AND FLOOD CONTROL DISTRICT
(APPROVED)

Approve the filing of a Special Action in Dreiseszun et al v, Vulcan Materials and Flood Control District of Maricopa County, CV 2002-014968, as discussed in Executive Session on May 14, 2007. (C6907060M00) (ADM1900-004)

FCD-8. RENEWALS/EXTENSIONS: – (APPROVED)

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed). (ADM1922)

Until August 31, 2010

- 04074-C Gravel Mulch and Decomposed Granite (\$1,200,000 estimated/three years)** Price agreement renewal to provide gravel mulch and decomposed granite as requested by Flood Control.
- MDI Rock
 - Rock Source, LLC

LIBRARY DISTRICT AGENDA

LD-1. DONATIONS – (APPROVED)

- a. Accept the donation reports received for April 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)
- b. Approve and accept donations of cash from the New Friends of the North Valley Regional Library in the amount of \$550; the Friends of the Litchfield Library in the amount of \$3,294; and the Friends of the Southeast Regional Library in the amount of \$2,000 totaling \$5,844; to the District's 2007 Summer Reading Program. Approve to amend the budget for the Library District (650), Library District Fund (244) increasing revenues and expenditures in the amount of \$5,844. (C6507032000) (ADM2800-006)

LD-2. TENTATIVE BUDGET – (APPROVED)

Approve the FY 2007-08 Tentative Budget by total appropriation for each fund for the Library District in the amount of \$20,717,140; and set a public hearing to solicit public comment on the FY 2007-08 Budget for June 18, 2007, at 10:00 a.m. at 301 W. Jefferson Street, 10th Floor, Phoenix. (C4907044000) (ADM2800-003)

STADIUM DISTRICT AGENDA

SD-1. TENTATIVE BUDGET – (APPROVED)

Approve the FY 2007-08 Tentative Budget pursuant to A.R.S. §48-4232, by total appropriation for each fund for the Stadium District in the amount of \$12,371,984, and set a public hearing to solicit public comment on the FY 2007-08 Budget for June 18, 2007, at 10:00 am at 301 W. Jefferson Street, 10th Floor, Phoenix. (C4907045800) (ADM5500-003)

CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS

62. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605) – **(NO ACTION)**
63. Supervisors'/County Manager's summary of current events. (ADM606) – **(NO ACTION)**

*****The Board of Supervisors will now consider Code Enforcement Reviews.*****

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred.
New evidence is not considered at these hearings.**

CODE ENFORCEMENT REVIEW

- PZ-1. Jose and Julia Serrano** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-01957 and V2005-02049, Jose and Julia Serrano. (Supervisory District 4) (ADM3417-045). This item was previously heard at the March 21, 2007 meeting, by a vote of 5-0 this case was continued to the May 16, 2007 meeting (and instructed staff to freeze accrued fines at \$7,290 pending continuance). – **(CONTINUED TO 08/22/07)**

*****The Board of Supervisors will now consider matters related to Planning and Zoning.*****

PLANNING AND ZONING AGENDA

CONSENT AGENDA: **(Detailed below)**

1. S2006-023, Final Plat in the Rural-43 zoning district, located south of the southeast corner of Ocotillo Road and 228th Street (in the Queen Creek area) (District 1) – **(APPROVED)**

REGULAR AGENDA: **(Detailed below)**

2. Z2006-112, Precise Plan of Development in the IND-3 zoning district, located approx. 2,112' east of Arizona Avenue and north of Germann Road (in the Chandler area) (District 1) – **(APPROVED AS AMENDED WITH ADDITIONAL STIPULATIONS)**
3. Z2007-026, Special Use Permit (SUP) for a private school in the C-O CUPD zoning district, located north of the northwest corner of Dysart Road and Camelback Road (in the west Glendale/Litchfield Park area) (District 4) – **(APPROVED)**

CONSENT AGENDA DETAIL:

1. **S2006-023** District 1 (F23222)
- Applicant: HEC Engineering, LLC on behalf of Circle G at Church Farm North LLC
Location: South of the southeast corner of Ocotillo Road and 228th Street (in the Queen Creek area)
Request: Final Plat in the Rural-43 zoning district for Church Farm Acres (approx. 16.09 gross acres)

REGULAR AGENDA DETAIL:

2. **Z2006-112** District 1 (F23236)
- Applicant: Allied Waste Transportation, Inc.
Location: Approx. 2,112' east of Arizona Avenue and north of Germann Road (in the Chandler area)
Request: Precise Plan of Development in the IND-3 zoning district for a waste transfer station (approx. 11.11 acres) – Germann Road Solid Waste Transfer Station

COMMISSION ACTION: Commissioner Pugmire moved to recommend approval of Z2006-112, subject to the following stipulations "a" through "q". Commissioner Smith seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the site plan entitled "Germann Road Transfer Station" consisting of five (5) full-size sheets prepared by Ray Love Architect, Inc., dated January 29, 2007 and stamped received January 30, 2007, except as modified by the following stipulations.
- b. Development shall be consistent with the narrative report entitled "Plan of Development Application Germann Road Transfer Station" consisting of 17 pages, dated November 17, 2006 and stamped received November 20, 2006, except as modified by the following stipulations.
- c. Landscaping of the site shall be generally consistent with the landscape plan entitled, "Germann Road Transfer Station", consisting of one (1) full-size sheet prepared by Ray Love Architect, Inc., dated December 22, 2006, and stamped received January 30, 2007, except as modified by the following stipulations.
- d. Lighting of the site shall be generally consistent with the photometric plan entitled, "Germann Road Transfer Station", consisting of one (1) full-size sheet prepared by Ray Love Architect, Inc., dated December 20, 2006, and stamped received January 30, 2007, except as modified by the following stipulations.
- e. The following Maricopa County Department of Transportation (MCDOT) stipulations shall be adhered to:
 - Provide a total half-width of 65' right-of-way on Germann Road.
 - Provide sidewalk adjacent to roadway on Germann Road (uncompleted section).
 - Any improvements and landscaping in County right-of-way will require a MCDOT permit.

- f. The following Flood Control District (FCD) of Maricopa County stipulation shall be adhered to:
 - Prior to any development or issuance of any building permits, a Floodplain Use Permit will need to be obtained from the Regulatory Division of the Flood Control District.
 - g. All proposed signage is to conform to standards for IND-3 zoning districts.
 - h. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
 - i. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
 - j. All trees shall be double-staked when installed.
 - k. A continuous parapet shall screen all roof-mounted equipment.
 - l. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened from view.
 - m. Major changes to this Plan of Development (the site plan and narrative report), or the stipulations of approval shall be process as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
 - n. Noncompliance with the plan of development (the site plan and narrative report) conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.
 - o. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
 - p. Allied Waste and it's successors agree to maintain litter control along access routes from the site to Loop 202 including Hamilton Street, Germann Road, McQueen Road, and Arizona Avenue.
 - q. Allied Waste and it's successors agree that upon availability, waste trucks shall utilize an alternative access route north to Loop 202 along Hamilton Street and/or Armstrong Way and Willis Road.
3. **Z2007-026** District 4 (F23236)
- Applicant: Kim Anderson for Dysart Commons, LLLP
Location: North of the northwest corner of Dysart Road and Camelback Road (in the west Glendale/Litchfield Park area)

Request: Special Use Permit (SUP) for a private school in the C-O CUPD zoning district (approx. 0.205 acres) – Montessori in the Park at Veranda Commons

COMMISSION ACTION: Commissioner Makula moved to recommend approval of Z2007-026, subject to stipulations “a” through “m”. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan entitled “Montessori in the Park Z2007026” consisting of one (1) full-size sheet, dated revised March 23, 2007 and stamped received March 26, 2007 except as modified by the following stipulations. Within thirty (30) days of Board of Supervisors (BOS) approval, the site plan shall be revised with all “bubbles” removed and displaying the most recent vicinity map.
- b. Development and use of the site shall comply with the narrative report entitled “Montessori in the Park at Veranda Commons Z2007026” consisting of ten (10) pages, dated revised March 23, 2007 and stamped received March 26, 2007 except as modified by the following stipulations.
- c. All trees shall be double-staked when installed.
- d. The canopy shade structure must be painted to match the existing building.
- e. The number of students attending the school shall not exceed 64.
- f. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- g. All transformers, back-flow prevention devices, utility boxes and all other utility related ground equipment shall be painted to compliment the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened.
- h. Use and development of the site shall otherwise comply with the stipulations of Z2003085, Z2004122, Z2004124, Z2005111, Z2006031, and S2005083 as may be applicable.
- i. This Special Use Permit shall expire fifteen (15) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first.
- j. The applicant shall submit a written report outlining the status of the development at the end of five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- k. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.

- l. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- m. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.